

## Special Education/Juvenile Detention Facilities

When a student with a disability is placed in a juvenile detention facility, the school district where the facility is located has an obligation to provide FAPE for that student. As soon as the district is notified the student is in the facility, the district must begin transfer procedures, including requesting records from the student's previous district, evaluating those records when received, accepting or rejecting the IEP and/or evaluation report, and providing services identical or comparable to the services he/she was receiving. Missouri's Safe Schools Act requires receiving school districts to request records within 2 business days of enrollment. Sending Missouri districts are required to send records within 5 business days of receiving a request for records. During any lapse in this process, the district should be providing comparable services for the student based on interviews with the student, parents and/or the sending school district. This process should help ensure continuity of special education and related services for the students.

There are no specific timelines for this process to occur. The question was asked about the procedures if a student would only be in the district for a few days. The same procedure should be followed for all students so that there are minimal lapses in educational services, particularly special education. While this may seem to be unnecessary if the student will be leaving in a short amount of time, FAPE is required, and all districts must do everything they can to ensure it.

The special education placement options for students in juvenile detention facilities are the same as for all students. The IEP team would make the decision regarding the appropriate placement based on individual needs and goals.